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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/114,668	07/13/1998	BERND GIROD	8X8S.203PA	9525

7590

02/20/2002

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EXAMINER

LAO, LUN S

ART UNIT	PAPER NUMBER
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2643

DATE MAILED: 02/20/2002

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/114,668

Applicant(s)

GIROD, BERND

Examiner

Lun-See Lao

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 6-12 and 19-21 is/are allowed.
- 6) ☒ Claim(s) 1-4 and 13-16 is/are rejected.
- 7) ☐ Claim(s) 5, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Introduction

1. Claims 1-21 of U.S. Application 09/114668 filed on 11/10/98[?] are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-4 and 13-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stork (US PAT.5, 621,858) in view of Silver (US PAT.5, 387,943)

Regarding claim 1 Stork teaches that a circuit arrangement for controlling audio signal transmissions for a communications system that includes a microphone (see fig.1, 20) and a video camera (see fig.1, 10), comprising:

a video processor configured and arranged to receive a video signal from the video camera, detect movement of an object in the video signal, provide a motions indicating signal indicating movement relative to the object (see col.4 lines 6-35); however Stork fail to teach audio processor.

On the other hand, Silver teaches that an audio processor coupled to the video processor and configured and arranged to modify the audio signal to be transmitted responsive to the motion-indicating signal (see Fig.1 col.2 lines 18-40).

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Therefore, it would be obvious to one of ordinary skill in the art at the time invention was made to modify Stork's to provide a semi-automatic lip sync recovery system for easily correcting timing errors between video and audio channels of a television signal. The video and audio channels to be synchronized are input to respective programmable delay circuits.

As to claim 13, there is a method claim of claims 1 respectively. Thus note claim 1 respectively, for rejection.

Regarding claims 2-4, Stork teaches that a circuit arrangement for controlling audio signal transmissions for a communications system wherein the object are a person; a person's face and person's mouth (see col.5 lines 10-25).

As to claims 14-16, these are the method claims of claims 2-4 respectively. Thus note claims 2-4, respectively, for rejection.

Claim Objections

4. Claim 17 is objected to under 37 CFR 1.75(c) as being in improper form because a multiple dependent claim 16. See MPEP § 608.01(n). Accordingly, the claim 17 is not been further treated on the merits.

Allowable Subject Matter

5. Claims 6-12, 19-21 are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art of record fails to teach an echo-cancellation arrangement for a video communication system that includes a microphone, a speaker, and a video

camera for use by a video conference participant at a first location, comprising:
an echo-cancellation circuit coupled to the video signal processor and configured and arranged to filter from an audio signal provided by the microphone sound energy output by the speaker responsive to the mouth-movement signal. These limitations, in combination with the remaining limitations of claim 6, are not taught nor suggested by the prior art of record.

The prior art of record fails to teach a video communication arrangement with video-assisted echo-cancellation, the arrangement for use by a video conference participant at a first location, comprising: an echo-cancellation circuit coupled to the microphone, speaker, and video signal processor and configured and arranged to filter, responsive to the mouth-movement signal, from an audio signal provided by the microphone sound energy output by the speaker. These limitations, in combination with the remaining limitations of claim 9, are not taught nor suggested by the prior art of record.

The prior art of record fails to teach method for audio signal and video signal processing, comprising: providing a motion-indicating signal to an echo-cancellation circuit when movement is detected. These limitations, in combination with the remaining limitations of claim 19, are not taught nor suggested by the prior art of record.

The prior art of record fails to teach an apparatus for audio signal and video signal processing, comprising: means for providing a motion-indicating signal to an echo-cancellation circuit when movement is detected. These limitations, in

combination with the remaining limitations of claim 21, are not taught nor suggested by the prior art of record.

6. Claims 5, 18 are objected to as being dependent upon a respective rejected base claim 1, but would be allowable if rewritten in independent form including all of the limitations of the respective base claim and any intervening claims.

The prior art of record fails to teach "the audio processor is configured arranged to mute the audio signal to be transmitted responsive to the motion-indicating signal" as recited in claim 5 and "providing a muted audio signal when no motion is detected" as recited in claim 18.

7. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

8. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:(703) 872-9314

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner

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should be directed to Lao,Lun-See whose telephone number is (703) 305-2259. The examiner can normally be reached on Monday-Friday from 8:00 to 6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis Kuntz, can be reached on (703) 305-4708.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 whose telephone number is (703) 306-0377.

Lao,Lun-See
Patent Examiner
US Patent and Trademark Office
Crystal Park 2
(703)305-2259


DUC NGUYEN
PRIMARY EXAMINER